

## **JUNE 20, 2016**

The City Council of the City of Idaho Falls met in Special Council Meeting, Monday, June 20, 2016, in the Council Chambers in the City Annex Building located at 680 Park Avenue in Idaho Falls, Idaho at 7:30 p.m.

There were present:

Councilmember Thomas Hally  
Councilmember Ed Marohn  
Councilmember John B. Radford  
Councilmember Michelle Ziel-Dingman  
Councilmember David M. Smith  
Councilmember Barbara Ehardt

Absent:

Mayor Rebecca L. Noah Casper

Also present:

Randy Fife, City Attorney  
Kathy Hampton, City Clerk  
All available Department Directors

Mayor Pro Tem Hally invited Kenny McOmber, City Treasurer to come forward and lead those present in the Pledge of Allegiance.

Mayor Pro Tem Hally requested any public comment not related to items on the agenda. Councilmember Ehardt, on behalf of the Councilmembers, wished a Happy Birthday to Mayor Pro Tem Hally. No one else appeared.

It was moved by Councilmember Hally, seconded by Councilmember Marohn, to move Regular Agenda Item 5.E., Police Department item, in front of Regular Agenda Item 5.B., Fire Department item, being Councilmember Dingman is liaison for the Police Department. The motion was made with good faith reason due to Councilmember Dingman's health and the possibility of her early departure from the meeting. Roll call as follows: Aye – Councilmember Ehardt, Marohn, Hally, Radford, Smith, Dingman. Nay – none. Motion carried.

### **Consent Agenda Items:**

Community Development Services requested receipt of Planning and Zoning Commission Actions, June 7, 2016, meeting.

The City Clerk requested approval of Treasurer's Report for the month of May, 2016.

The City Clerk requested approval of Minutes from the May 23, 2016, Council Work Session and May 26, 2016, Council Meeting.

The City Clerk requested approval of License Applications, including a Beer To Be Consumed On Premises license to Bear & Blue, all carrying the required approvals.

It was moved by Councilmember Marohn, seconded by Councilmember Radford, to approve all items on the Consent Agenda according to recommendations presented. Roll call as follows: Aye – Councilmembers Dingman, Smith, Marohn, Ehardt, Hally, Radford. Nay – none. Motion carried.

### **Regular Agenda Items:**

Community Development Services submitted the following items for Council consideration:

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Subject: Request for waiver of electric line extension fees, Printcraft Press

For your consideration is a request for waiver of electric line extension fees for the project at 670 Colorado for Printcraft Press. The total fees were \$73,698.63. This request is made pursuant to City Code 8-5-31 which states, "Council reserves the right to waive or adjust fees (other than net metering fees) upon a finding of good cause to do so where such waiver or reduction supports redevelopment or the annexation of property contiguous with or surrounded by the City." This site is unique from previous requests due to a number of factors. The site is an infill site as it is not on the fringes of existing City limits and is surrounded by City and County development. Also, sewer and water facilities are either adjacent to the site or within a short distance. However, electric facilities were not as close to the site and lines and poles had to be extended. There were also no existing transformers on the site and the project requires more transformers than a more typical residential or commercial development. Based on these factors, and in consultation with Idaho Falls Power, staff recommends approval of a waiver for the labor portion of the line extension fees which total \$17,324.28.

It was moved by Councilmember Dingman, seconded by Councilmember Smith, to approve the request for waiver for the labor portion of the electric line extension fees in the amount of \$17,324.28, for the project located at 670 Colorado, Printcraft Press. Roll call as follows: Aye – Councilmembers Marohn, Dingman, Ehardt, Hally, Radford, Smith. Nay – none. Motion carried.

Subject: Request for extension to record a final plat, Grandview Storage Units, Division No. 1

The applicant for the Grandview Storage Units, Division No. 1, Final Plat has requested a 180-day extension to record the plat. The owner is still resolving easement issues that must be taken care of prior to recording. The plat was approved by the City Council on March 10, 2016, and the 90-day deadline to record the plat was June 8, 2016. Staff recommends approval of an extension to record to plat to December 31, 2016.

It was moved by Councilmember Dingman, seconded by Councilmember Smith, to approve the request for extension to record a final plat to December 31, 2016, for Grandview Storage Units, Division No. 1. Roll call as follows: Aye – Councilmembers Smith, Hally, Dingman, Radford, Ehardt, Marohn. Nay – none. Motion carried.

Idaho Falls Police Department submitted the following item for consideration:

Subject: Leave of Absence Without Pay

An employee with the City of Idaho Falls Police Department, Annake Scholes, has provided a waiver allowing for a discussion and disclosure of information related to her employment and health necessary to make a determination about her request for a leave of absence without pay. This individual has been employed with the City of Idaho Falls since January, 2016. She is not eligible for Family Medical Leave, which requires employment with the City for one year. Ms. Scholes intends to take up to 12 weeks off for delivery and care of her newborn child. She began her absence on June 6, 2016, at the direction of her physician. She currently has paid benefits that would last until approximately June 23, 2016.

Police Chief Mark McBride stated per City Personnel Policy, he is allowed to grant up to 15 days of leave without pay, any extension of time would require Council approval. He believes Ms. Scholes is a valued employee and stated this potential issue was discussed prior to Ms. Scholes' acceptance of employment. Chief McBride is also requesting Ms. Scholes benefits continue during her absence. Ms. Scholes portion would amount to approximately \$308.00 and the City portion would amount to approximately \$3,000.00. He stated there would be salary savings in the budget due to her absence which would be applied to the City portion of benefits. Chief McBride stated the current staff will assist with any additional administrative duties during Ms. Scholes absence.

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It was moved by Councilmember Dingman, seconded by Councilmember Marohn, in accordance with City Policy XXIV, to approve Leave Without Pay for Annake Scholes through August 29, 2016, and that her eligibility for benefits remain whole during her absence. Roll call as follows: Aye – Councilmembers Smith, Hally, Dingman, Radford, Ehardt, Marohn. Nay – none. Motion carried.

Idaho Falls Fire Department submitted the following item for consideration:

Subject: Fire Protection and Equipment Purchase Agreement with Bonneville County Fire District 1

For your consideration is the 2016-2017 Fire Protection Joint Services Agreement with the Bonneville County Fire Protection District #1. This agreement reflects no change in personnel costs from last year and is based on the District supporting the costs of fifteen (15) members of the Fire Department at \$1,596,000. In addition to the Fire Protection Agreement, the Fire Department has negotiated a separate Equipment Purchase Agreement for the District to pay for fifteen (15) sets of Personal Protective Equipment (PPE) at a cost of \$47,550. This purchase would happen immediately and provide replacement PPE for fifteen (15) of our members.

Councilmember Marohn stated any equipment maintenance costs exceeding \$5,000.00 will be paid by the Fire District 1 agreement. The Idaho Falls Fire Department currently pays \$1 per year for equipment lease as well as the Lincoln Fire Station lease.

Fire Chief Dave Hanneman stated PPE equipment was requested in lieu of an additional percentage to the base of the contract. The PPE will be a one-time purchase agreement.

It was moved by Councilmember Marohn, seconded by Councilmember Radford, to approve the 2016-2017 Fire Protection Joint Services Agreement and Equipment Purchase Agreement with Bonneville County Fire District #1, and give authorization for the Mayor and City Clerk to sign the necessary documents. Roll call as follows: Aye – Councilmembers Hally, Marohn, Radford, Smith, Ehardt. Nay – none. Motion carried. Mayor Pro Tem announced Councilmember Dingman's early departure due to health reasons.

Municipal Services submitted the following items for consideration:

Subject: IF-16-22, Line Clearance Project

For your consideration is the bid tabulation for the fiscal year 2016-2017 Line Clearance Project. It is the recommendation of Municipal Services and Idaho Falls Power to accept and award the sole bid from Davey Tree Surgery Company to provide annual tree maintenance work as requested by Idaho Falls Power. Tree maintenance work may include trimming, pruning, removal and stump grinding; data collection, data entry into the "Tree Keeper" management software reporting system; cataloging, inventorying and treatment. The total recommended contract amount is not to exceed \$292,000 for a contract expiration date of September 20, 2017.

It was moved by Councilmember Marohn, seconded by Councilmember Smith, to accept and award the sole bid from Davey Tree Surgery Company to provide annual tree maintenance in an amount not to exceed \$292,000, and give authorization for the Mayor and City Clerk to sign any necessary documents. Roll call as follows: Aye – Ehardt, Radford, Smith, Marohn, Hally. Nay – none. Motion carried.

Subject: IF-16-24, Electric Inventory

For your consideration is the tabulation for the subject bid. It is the recommendation of Municipal Services and Idaho Falls Power to accept the lowest responsive, responsible bids from the vendors listed below to furnish electric inventory for a lump sum amount of \$96,272.83.

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Anixter Power Solutions	\$17,444.50
General Pacific	1,539.00
Codale Electric Supply	11,607.77
WESCO Distribution Inc.	15,381.56
Northern Power Equipment	6,698.50
D & S Electric Supply	43,601.50
Lump Sum Total	\$96,272.83

Councilmember Marohn stated there is a modification to the bid due to equipment already purchased, therefore increasing the total bid amount by \$2.00.

It was moved by Councilmember Marohn, seconded by Councilmember Smith, to accept the lowest responsive, responsible bids from the vendors listed above to furnish electric inventory for a lump sum amount of \$96,274.83, and give authorization for the Mayor and City Clerk to sign any necessary documents. Roll call as follows: Aye – Radford, Ehardt, Hally, Smith, Marohn. Nay – none. Motion carried.

Subject: Bid IF-16-J, Sole Source Purchase for Ambulance Gurneys and Monitors

The Municipal Services and Fire Department requests the authorization to advertise the City's intent to make a sole source purchase following a 14-day period, as per I.C. § 67-2808, and then once the advertisement has been completed to issue purchase orders to:

Stryker for two (2) gurneys and the power load system	\$71,923.04
Physio Control for two (2) monitors	\$72,740.15

The above referenced equipment is standardized equipment that will be installed in the two (2) new ambulances approved for purchase on May 26, 2016, from Braun Northwest. To clarify, one ambulance is a replacement funded by the Municipal Equipment Replacement Fund and the other ambulance is an addition to the fleet to be funded by the ambulance fund. Both funding sources are from the 2015/16 Fire department budget.

Municipal Services Director Pam Alexander stated equipment for one (1) ambulance was not included in the current fiscal year budget, however, funding is available in the Ambulance Fund for requested equipment. Brief discussion followed. Fire Chief Hanneman stated Sole Source purchase was required due to standard specifications for ambulance equipment.

It was moved by Councilmember Marohn, seconded by Councilmember Smith, to advertise the City's intent to make a sole source purchase following a 14-day period, as per I.C. § 67-2808, and then once the advertisement has been completed to issue purchase orders for ambulance gurneys in the amount of \$71,923.04, and monitors in the amount of \$72,740.15, and authorize the Mayor and City Clerk to sign any necessary documents. Roll call as follows: Aye – Marohn, Ehardt, Hally, Radford, Smith. Nay – none. Motion carried.

Public Works submitted the following items for consideration:

Subject: Bid Award - ADA Improvements on Northgate Mile and on Holmes Avenue Phase III

On June 14th, 2016, bids were received and opened for the ADA Improvements on Northgate Mile and on Holmes Avenue Phase III project. A tabulation of bid results as follows:

Engineer's Estimate	Reinhart Concrete (CAP, LLC)	DePatco, Inc.	JM Concrete, Inc.
\$64,225.00	\$46,023.50	\$57,168.00	\$87,110.00

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Public Works recommends approval of the plans and specifications, award to the lowest responsive, responsible bidder, CAP, LLC DBA Reinhart Concrete, in an amount of \$46,023.50 and, authorization for the Mayor and City Clerk to sign contract documents.

Councilmember Ehardt stated this is an annual project.

It was moved by Councilmember Ehardt, seconded by Councilmember Smith, to approve the plans and specifications for the ADA Improvements on Northgate Mile and on Holmes Avenue Phase III project, and award the lowest responsive, responsible bidder, CAP, LLC DBA Reinhart Concrete, an amount of \$46,023.50, and give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows: Aye – Councilmembers Ehardt, Marohn, Hally, Radford, Smith. Nay – none. Motion carried.

Subject: Bid Award – Thermoplastic Citywide – 2016

On June 14th, 2016, bids were received and opened for the Thermoplastic Citywide – 2016 project. A tabulation of bid results as follows:

Engineer's Estimate	Falls Striping, LLC	Idaho Traffic Safety, Inc.
\$82,849.50	\$79,535.52	\$81,008.40

Public Works recommends approval of the plans and specifications, award to the lowest responsive, responsible bidder, Falls Striping, LCC, in an amount of \$79,535.52 and, authorization for the Mayor and City Clerk to sign contract documents.

Councilmember Ehardt stated the thermoplastic is in lieu of paint and is favorable for higher pedestrian and vehicular areas.

It was moved by Councilmember Ehardt, seconded by Councilmember Smith, to approve the plans and specifications for Thermoplastic Citywide – 2016 project, and award the lowest responsive, responsible bidder, Falls Striping, LCC, an amount of \$79,535.52, and give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows: Aye – Councilmembers Radford, Marohn, Smith, Hally, Ehardt. Nay – none. Motion carried.

Subject: Bid Award – Eastside Greenbelt Pathway E Street to Vissing Circle

On June 14th, 2016, bids were received and opened for the Eastside Greenbelt Pathway E Street to Vissing Circle project. A tabulation of bid results as follows:

Engineer's Estimate	Thompson Paving, Inc.	DePatco, Inc.	HK Contractors, Inc.
\$531,778.50	\$558,341.85	\$585,986.40	\$610,877.00

Public Works recommends approval of the plans and specifications, award to the lowest responsive, responsible bidder, Thompson Paving Inc., in an amount of \$558,341.85 and, authorization for the Mayor and City Clerk to sign contract documents.

Public Works Director Chris Fredericksen stated this item was discussed at the May 9, 2016, Council Work Session and potentially will be funded from the General Fund. He indicated grants were not received for this project, however, funding is available due to other trail projects not occurring at this time. The project would widen the greenbelt pathway along the east side of the Snake River where it intersects with Riverside Drive and would continue to proceed north to US-20. This pathway would also provide a buffer lane of 4' of landscaping between the pathway and vehicular traffic. Sections around Civitan Park will be included as well including three (3)

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pedestrian crosswalks. It is anticipated this project will begin after July 4, 2016, with completion expected for October, 2016. Councilmember Radford expressed his appreciation for this project and believes it is an important safety factor for the community.

It was moved by Councilmember Ehardt, seconded by Councilmember Smith, to approve the plans and specifications for Eastside Greenbelt Pathway E Street to Vissing Circle project, and award the lowest responsive, responsible bidder, Thompson Paving Inc., an amount of \$558,341.85, and give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows: Aye – Councilmembers Radford, Ehardt, Smith, Marohn, Hally. Nay – none. Motion carried.

Subject: Bid Award – Minor Street Overlays – 2016

On June 14th, 2016, bids were received and opened for the Minor Street Overlays - 2016 project. A tabulation of bid results as follows:

Engineer's Estimate	DePatco, Inc.	HK Contractors, Inc.
\$241,089.00	\$197,537.10	\$238,436.75

Public Works recommends approval of the plans and specifications, award to the lowest responsive, responsible bidder, DePatco, Inc., in an amount of \$197,537.10 and, authorization for the Mayor and City Clerk to sign contract documents.

Councilmember Ehardt stated this is an annual project.

It was moved by Councilmember Ehardt, seconded by Councilmember Smith, to approve the plans and specifications for Minor Street Overlays – 2016 project, and award to the lowest responsive, responsible bidder, DePatco, Inc., an amount of \$197,537.10 and, authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows: Aye – Councilmembers Hally, Smith, Ehardt, Marohn, Radford. Nay – none. Motion carried.

Subject: Right-of-Way and Easement Vacation – Lot 5, Block 1 of the Westridge Commercial Plaza, First Amended

As earlier authorized, the City Attorney has prepared the documents to vacate the access right-of-way and easement at Lot 5, Block 1 of the Westridge Commercial Plaza, First Amended. Public Works recommends approval of this vacation; and, authorization for the Mayor and City Clerk to sign the necessary documents.

It was moved by Councilmember Ehardt, seconded by Councilmember Smith, to approve the Ordinance vacating the access right-of-way and easement at Lot 5, Block 1 of the Westridge Commercial Plaza, First Amended, under the suspension of the rules requiring three complete and separate readings and that it be read by title and published by summary. Roll call as follows: Aye – Councilmembers Smith, Hally, Radford, Ehardt, Marohn. Nay – none. Motion carried.

At the request of Mayor Pro Tem Hally the City Clerk read the ordinance by title only:

**ORDINANCE NO. 3074**

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, PROVIDING FOR THE VACATION OF A PORTION OF A RIGHT-OF-WAY AND EASEMENT LOCATED WITHIN THE CITY OF IDAHO FALLS AND LEGALLY DESCRIBED IN SECTION 1 OF THIS ORDINANCE; PROVIDING THAT TITLE TO SAID VACATED STREET SHALL VEST AS

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SPECIFIED IN SECTION 3 OF THIS ORDINANCE; PROVIDING THAT THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

Subject: Professional Services Agreements – Sanitary Sewer and Water Connection Fee Update

For your consideration are two (2) Professional Services Agreements with Galardi Rothstein Group, with respect to the Sanitary Sewer Connection Fee Update and the Water Connection Fee Update. Under the agreement, Galardi Rothstein Group will analyze the current connection fee structure and make recommendations for a projected fee schedule to accommodate capacity and growth needs. These agreements for services include a not to exceed amount of \$13,675.00 for Sanitary Sewer and \$21,550.00 for Water. Both agreements have been reviewed by the City Attorney.

Director Fredericksen stated the last fee analysis was conducted in 2008. The new Water Facility Plan addresses new capital needs as well. Any findings would be presented to Council for future action with related fees to be included in the Fee Resolution.

It was moved by Councilmember Ehardt, seconded by Councilmember Smith, to approve the Professional Services Agreements with Galardi Rothstein Group for a not to exceed amount of \$13,675.00 for Sanitary Sewer and \$21,550.00 for Water, and give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows: Aye – Councilmembers Smith, Marohn, Ehardt, Hally, Radford. Nay – none. Motion carried.

Subject: Professional Services Agreement – Sanitary Sewer Rate Study

For your consideration is a Professional Services Agreement with Galardi Rothstein Group, with respect to the Sanitary Sewer Rate Study. Under the agreement, Galardi Rothstein Group will analyze the current Sanitary Sewer funding plan and create a rate model to meet City objectives. This agreement for services includes a not to exceed amount of \$24,640.00 and has been reviewed by the City Attorney.

Councilmember Ehardt stated this is a similar agreement to the previous discussion item.

It was moved by Councilmember Ehardt, seconded by Councilmember Smith, to approve the Professional Services Agreements with Galardi Rothstein Group for a not to exceed amount of \$24,640.00 for Sanitary Sewer Rate Study, and give authorization for the Mayor and City Clerk to sign the necessary documents. Roll call as follows: Aye – Councilmembers Marohn, Ehardt, Hally, Radford, Smith. Nay – none. Motion carried.

Parks and Recreation submitted the following item for consideration:

Subject: Right-of-Way Grant

For your consideration is a Right-of-Way Grant with the Bureau of Land Management (BLM) for the proposed right-of-way, Serial Number IDI-38145, for facilities on public land associated with Idaho Falls Raceway at Noise Park and an access road. The City of Idaho Falls entered into an agreement in 1967 with the Idaho Army National Guard for the described right-of-way. However, during the process of Parks and Recreation applying for a grant for the Idaho Falls Raceway at Noise Park, it was discovered that the BLM was the land owner, not the Idaho Army National Guard. There are no fees associated with this right-of-way. This proposed grant would expire in 2046. This agreement has been reviewed and approved by the City attorney.

Parks Superintendent Brent Martin stated although the BLM owns the land, the Idaho National Guard is allowed to operate on the property as a training facility.

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It was moved by Councilmember Radford, seconded by Councilmember Hally, to approve the Right-of-Way Grant with the Bureau of Land Management for facilities associated with Idaho Falls Raceway at Noise Park and access road and authorize the Mayor and City Clerk to sign the necessary documents. Roll call as follows: Aye – Councilmembers Hally, Marohn, Radford, Smith, Ehardt. Nay – none. Motion carried.

Idaho Falls Airport submitted the following item for consideration:

Subject: Idaho Falls Airport Work Orders 16-03, 16-04 and 16-05 with T-0 Engineers FAA AIP Project No. 3-16-0018-041- 2016 Design Services for Land Acquisition, TWY A Rehabilitation and N. Terminal Expansion Projects

For your consideration are Work Orders 16-03, 16-04 and 16-05 under the approved Master Professional Services Agreement between the City of Idaho Falls and T-0 Engineers, Inc. for the following 2016 Federal Aviation Administration (FAA) Airport Improvement Program (AIP) 41 Grant design projects:

- 16-03: Land Acquisition Services for Runway 2/20 Protection Zones. Cost \$158,480.00
- 16-04: Design of Rehabilitation of Taxiway A, C and Connecting Taxiways. Cost \$504,140.00
- 16-05: Design Concept and Budget Report for N. Terminal Expansion. Cost \$111,296.00

These projects have been approved to be funded through the FAA AIP 41 Grant at 93.75% with the remaining costs covered under Airport budgeted funds. The City Attorney has reviewed said work orders.

Airport Director Craig Davis stated due to FAA AIP projects, a consultant is required for any preparation work including survey, appraisal, and other processes for a buy/sell agreement. He reviewed the locations for the land acquisition, indicating a portion of this land acquisition of approximately 7.2 acres has been included in the 2010 Master Plan Update per federal regulations for runway protection zone. He stated funding has not previously been available. Director Davis stated the expansion project will include three (3) options and concepts for two (2) baggage claim systems.

It was moved by Councilmember Radford, seconded by Councilmember Marohn, to approve Work Orders 16-03, 16-04 and 16-05 with T-0 Engineers and give authorization for the Mayor and City Clerk to sign any necessary documents. Roll call as follows: Aye – Councilmembers Ehardt, Radford, Smith, Marohn, Hally. Nay – none. Motion carried.

Mayor Pro Tem Hally reminded the Councilmembers of the Association of Idaho Cities (AIC) meetings being held in Boise later in the week.

There being no further business, it was moved by Councilmember Marohn, seconded by Councilmember Radford, to adjourn the meeting at 8:40 p.m. which motion passed following a unanimous vote.

s/ Kathy Hampton  
CITY CLERK

s/ Rebecca L. Noah Casper  
MAYOR